

**State of California
California Regional Water Quality Control Board, Los Angeles Region**

Cease and Desist Order No. 98-029[u1]

Requiring the County of Ventura and Ventura Regional Sanitation District
to Cease and Desist Discharges under Board Order No. 96-040 (NPDES CA0059005)
from Nyeland Acres Wastewater Treatment Plant

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board), finds:

Nyeland Acres Wastewater Treatment Plant (NAWTP), located at 3250 Ventura Blvd., Oxnard, California, operates under requirements specified in Board Order No. 96-040 (NPDES CA0059005). The County of Ventura (County) owns NAWTP. The County retains the Ventura Regional Sanitation District (VRSD) to operate NAWTP.

NAWTP has provided services for collection and treatment of domestic wastewaters in the community of Nyeland Acres since 1983. The community of Nyeland Acres, which consists of about 470 homes to the northeast of the City of Oxnard, is a low-income community in an unincorporated area of Ventura County.

The design capacity at NAWTP totals 220,000 gallons per day; daily flow at NAWTP averages 110,000 gallons per day.

The treatment process for NAWTP was designed and designated as an innovative project to provide low-cost wastewater collection and secondary-level treatment services; grant funds for 97.5% of the capital costs for NAWTP were provided by the US Environmental Protection Agency (US EPA).

Treatment processes at NAWTP consist of primary and secondary treatment followed by disinfection. Wastewaters from homes in Nyeland Acres flow to 220 interceptor tanks, where primary clarification occurs through a Septic Tank Effluent Pumping (STEP) system. After retention in the 220 interceptor tanks, the wastewaters flow to NAWTP for bar screening, biological treatment, and chlorine disinfection. NAWTP does not have equipment to dechlorinate wastewaters after disinfection.

The County has determined that NAWTP has failed as an innovative project to collect and treat wastewaters to a secondary-level treatment in a cost-effective manner. Due to storm drainage problems in the community, and the community's reliance upon the interceptor tanks for collection of stormwater run off, costs for operating the STEP system in the 220 interceptor tanks are significantly higher than anticipated. As a result, the monthly service fee for NAWTP is currently \$39.95/home, which is among the highest in the County of Ventura.

March 16, 1998 draft

For the past five years, the County has advised the State Board and Regional Board that it intends to abandon NAWTP and redirect wastewaters from the community of Nyeland Acres to a sanitary sewer system operated by the City of Oxnard. However, difficulties in procurement of funds for installation of a hookup to the Oxnard sanitary sewer system has delayed abandonment of NAWTP.

In 1994, the State Water Resources Control Board notified the County that a grant had been approved, for funding 100% of the estimated cost for hookup to the Oxnard sanitary sewer system. On October 1, 1997, the County awarded a contract for this project. The County plans to complete the project by December 22, 1998.

Order No. 96-040 (NPDES Permit No. CA0059005), adopted by the Regional Board on June 10, 1996, specifies revised requirements for discharge of treated wastewater from NAWTP to Beardsley Wash. Beardsley Wash is tributary to Revolon Slough, Calleguas Creek, and Mugu Lagoon. Mugu Lagoon is an important biological resource, which provides habitat for several threatened and endangered species.

Order No. 96-040, section 1.2.a, includes a daily maximum effluent limitation of 0.1 mg/L for residual chlorine, in accordance with water quality objectives in the *Water Quality Control Plan for the Los Angeles Region (Basin Plan)*. Requirements in Order No. 96-040 include, among others, self-monitoring as specified in Monitoring and Reporting Program (M&RP) No. 6542.

As indicated in self-monitoring as required under Order 96-040, VRSD has not been able to comply with the daily maximum effluent limitation of 0.1 mg/L for residual chlorine. In monthly reports of self-monitoring submitted since July 1996, NAWTP has consistently reported concentrations of residual chlorine ranging from 11 mg/L to 36 mg/L. These reported concentrations of residual chlorine are in excess of the limitation of 0.1 mg/L, which constitutes a violation of Order No. 96-040, section 1.2.a.

This Order is an action taken for the protection of the environment and, as such, is exempt from provisions of the California Environmental Quality Act, in accordance with the California Code of Regulations, Title 14, Chapter 3, Section 15321.

The Board has notified the County, VRSD, and interested agencies and persons of its intent to conduct a public hearing concerning violations or threatened violations of waste discharge requirements.

The Board, in a public hearing, heard and considered all testimony pertinent to this matter. All Orders referred to above, and records of hearings and testimony therein, are included herein by reference.

IT IS HEREBY ORDERED that, pursuant to California Water Code Section 13301, the County of Ventura and the Ventura Regional Sanitation District shall cease and desist violating requirements

specified in Board Order No. 96-040, by properly abandoning NAWTP no later than December 22, 1998 and complying with the following actions:

<u>Date</u>	<u>Action</u>
Monthly	Collect a grab sample from Revolon Slough, above the point where the concrete lining ends and the stream becomes unlined, and analyze the sample for residual chlorine. Analytical results of each monthly grab sample are to be included in the monthly reports of self-monitoring required under M&RP No. 6542, due the 15th day of the second month following sampling. Between the date of this Order and December 31, 1998, the Regional Board will not take enforcement action for violations of effluent limits for residual chlorine, provided that the results of the monthly sampling specified above do not exceed 0.1 mg/L.
October 30, 1998	Divert 50% of wastewaters from the community of Nyeland Acres to the Oxnard sanitary sewer system, and confirm completion of this action in the report of self-monitoring required under MR&P No. 6542, due on November 15, 1998.
November 27, 1998	Divert 100% of wastewaters from the community of Nyeland Acres to the Oxnard sanitary sewer system, and confirm completion of this action in the report of self-monitoring that is due on December 15, 1998.
December 31, 1998	Complete proper abandonment of NAWTP, including the 220 interceptor tanks, and wastewater hook-up to the collection system operated by the City of Oxnard, and confirm completion of this action in the report of self-monitoring required under MR&P No. 6542, due on January 15, 1999.

Should the County of Ventura and the Ventura Regional Sanitation District fail to comply with any provisions of this Order and Order 96-040, the Executive Officer may take appropriate action against the County and VRSD, including administrative civil liability pursuant to section 13323 and 13385 of the California Water Code, or referral to the Attorney General for injunction and civil monetary remedies, pursuant to appropriate California Water Code sections, including but not limited to 13331, 13350, 13385, and 13386.

I, Dennis A. Dickerson, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on April 13, 1998.

DENNIS A. DICKERSON
Executive Officer

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